

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

In re:

ANTHONY W. SMALLWOOD,

Debtor(s).

) Case No. 14-20231-705

) Chapter 13

) Confirmation Hearing Date and Time:

) February 11, 2016 @ 11:00 a.m

) United States District Courtroom

) 801 Broadway, Hannibal, MO 63401

3rd AMENDED CHAPTER 13 PLAN

PAYMENTS. Debtor is to pay to the Chapter 13 Trustee the sum of the following amounts: (complete one of the following payment options)

\$3,552.34 THRU OCTOBER 2015, THEN \$290 per month beginning November 2015 for 44 months.

In addition, Debtor shall pay to the Trustee, and the plan base shall be increased by the following:

(1) Tax Refund. Debtor shall send any tax refund received during the pendency of the Chapter 13 case to the Trustee; however, Debtor may retain a portion of a tax refund to pay income taxes owed to any taxing authority for the same period as the refund. Debtor may also retain \$1,250 for single filers or \$1,500 for joint filers and refundable tax credits consisting of Earned Income Credit (EIC) and Additional Child Tax Credit each year. (2) Employee Bonuses. Debtor shall send fifty percent of any employee bonus or other distribution paid or payable to Debtor during the term of the plan. (3) Additional Lump Sums. Debtor shall send additional lump sums(s) consisting of _____, if any, to be paid to the Trustee.

DISBURSEMENTS. Creditors shall be paid in the following order and in the following fashion. Unless stated otherwise, the Chapter 13 Trustee will make the payments to creditors. All disbursements by the Trustee to be made pro-rata by class, except per month disbursements described below. However, if there are funds available after payment of equal monthly payments in paragraph 5 and fees in paragraph 6, those funds shall be distributed again to those same paragraphs until paid in full before distributing to the next highest paragraphs:

1. **Trustee and Court Fees.** Pay Trustee a percentage fee as allowed by law and pay filing fees if the Court enters an order providing for filing fees to be paid in the Chapter 13 plan.

2. Executory Contract/Lease Arrearages. Trustee to cure pre-petition arrearage on

any executory contract accepted in paragraphs 3(A or B) over the following period,
estimated as follows:

CREDITOR NAME	TOTAL AMOUNT DUE	CURE PERIOD
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3. Pay sub-paragraphs concurrently:

(A) **Post-petition real property lease payments.** Debtor assumes executory contract for real property with the following creditor(s) and proposes to maintain payments in accordance with terms of the original contract as follows:

CREDITOR NAME	MONTHLY PAYMENT	BY DEBTOR/TRUSTEE
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(B) **Post-petition personal property lease payments.** Debtor assumes executory contract for personal property with the following creditor(s) and proposes to maintain payments in accordance with terms of the original contract as follows:

CREDITOR NAME	MONTHLY PAYMENT	EST MONTHS REMAINING
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(C) **Continuing Debt Payments (including post-petition mortgage payments on real estate other than Debtor's residence)** Maintain payments of the following continuing debt(s) in accordance with terms of the original contract with any arrearages owed at the time of filing to be cured in paragraph ____ below.

CREDITOR NAME	MONTHLY PAYMENT
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(D) **Post-petition mortgage payments on Debtor's residence.** Payments due post-filing on debt(s) secured by lien(s) on Debtor(s) residence to be at the monthly amount listed below (or as adjusted by creditor under terms of loan agreement) to:

CREDITOR NAME	MONTHLY PAYMENT	BY DEBTOR/TRUSTEE
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(E) **DSO Claims in equal installments.** Pay any pre-petition domestic support obligation arrears (not provided for elsewhere in this plan) in full in equal monthly installments over the life of the plan, estimated as:

CREDITOR NAME	TOTAL AMOUNT DUE	INTEREST RATE
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4. **Attorney Fees.** Pay Debtor's attorney **\$1500.00** in equal monthly payments over **24 months**. Any additional fees allowed by the Court shall be paid pursuant to paragraph 6 below. [See the Local Rules for limitations on use of this paragraph]

5. Pay sub-paragraphs concurrently:

(A) **Pre-petition arrears on secured claims paid in paragraph 3.** Pay pre-petition arrearage on debts paid under paragraphs 3 (C) or (D) in equal monthly installments over the period set forth below and with the interest rate identified below, estimated as follows:

CREDITOR NAME	TOTAL AMOUNT DUE	CURE PERIOD	INTEREST RATE
		36 months	

(B) **Secured claims to be paid in full.** The following claims shall be paid in full in equal monthly payments over the period set forth below with **4.75%** interest.

CREDITOR	EST BALANCE DUE	REPAY PERIOD	TOTAL w/ INTEREST
Heights Finance	\$1533	48 months	\$1686.24

(C) **Secured claims subject to modification.** Pay all other secured claims the fair market value of the collateral, as of the date the petition was filed, in equal monthly payments over the period set forth below with **4.75%** interest and with any balance of the debt to be paid as non-priority unsecured debt under paragraph 9 (A), estimated as set forth below:

CREDITOR	BALANCE DUE	FMV	REPAY PERIOD	TOTAL w/ INTEREST
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(D) **Co-debtor guaranteed debt paid in equal monthly installments.** The following co-debtor guaranteed claims(s) to be paid by Trustee or by the co-debtor as noted below. If paid by Trustee, pay claim in equal monthly installments over the period set forth below and with interest as identified below.

CREDITOR	EST BALANCE	TRUSTEE/CO-DEBTOR	PERIOD	INTEREST RATE
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(E) Pay any post petition fees and costs as identified in a notice filed per Federal Rule of Bankruptcy Procedure 3002.1 as a supplement to an allowed claim or any other post-petition fees and costs which the Court allows and orders the Trustee to pay. Any such amounts shall be paid in equal monthly payments over the remainder of the plan duration and shall not receive interest.

6. Pay **\$2,000.00** of debtor's attorney's fees and any additional attorney fees allowed by the Court .

7. Pay sub-paragraphs concurrently:

(A) **Unsecured Co-debtor guaranteed claims.** The following unsecured co-debtor guaranteed debt to be paid by Trustee or by the co-debtor as noted below. If paid by Trustee, pay claim in full with interest rate as identified below.

CREDITOR NAME	EST TOTAL DUE	TRUSTEE/CO-DEBTOR	INTEREST RATE
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(B) **Assigned DSO Claims.** Domestic support obligation arrearages assigned to, or recoverable by, a governmental unit, to be paid a fixed amount with the balance to be owed by the Debtor(s) after completion of the Plan, pursuant to § § 507(a)(1)(B) and 1322(a)(4). Regular payments that become due after filing shall be paid **directly** by Debtor(s).

CREDITOR	TOTAL DUE	TOTAL AMOUNT PAID BY TRUSTEE (100% or lesser dollar amount enumerated here)
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8. **Priority Claims.** Pay the following priority claims allowed under 11U.S.C. section 507 in full, estimated as follows:

CREDITOR NAME	TOTAL AMOUNT DUE
Internal Revenue Service	\$3450.92
Mo. Dept. of Revenue	\$1355.00

9. Pay the following sub-paragraphs concurrently:

(A) **General Unsecured Claims.** Pay non-priority, unsecured creditors. Estimated total owed: **\$48,039.00.** Amount required to be paid to non-priority unsecured creditors as determined by 1325(a)(4) hypothetical Chapter 7 liquidation calculation: **\$2700.00.** Amount required to be paid to non-priority unsecured creditors as determined by 1325(b) calculation: **\$0.** Debtor guarantees a minimum of **\$2700.00** (Dollar amount or 100%) will be paid to non-priority unsecured creditors.

(B) **Surrender of Collateral.** Debtor proposes to surrender the following collateral to the following creditor(s) with any deficiency paid as non-priority unsecured debt:

CREDITOR	COLLATERAL
Ocwen	residence @64514 Old Hwy 79 New London, MO 63459

(C) **Rejected Executory Contracts/Leases.** Debtor rejects the following executory contract(s) with the following creditor(s). Any balance to be paid as non-priority unsecured debt.:

CREDITOR	CONTRACT/LEASE
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10. Other:

11. All secured creditors shall retain the liens securing their claims until the earlier of the payment of the underlying debt determined under non-bankruptcy law or discharge under section 1328. However, the Debtor will request avoidance of non-purchase money liens secured by consumer goods as well as judicial liens which impair exemptions and said creditors will not retain their liens if the Court enters an order granting the Debtor's request to avoid the liens.

12. Any pledged credit union shares or certificates of deposit held by any bank shall be applied to the amount owed such Claimant.

13. Title to Debtor's property to re-vest in Debtor upon confirmation. Debtor is not to incur further credit or debt without the consent of the Court unless necessary for the protection of life, health or property and consent cannot be obtained readily. Within fourteen days of filing federal and state income tax returns, Debtor shall provide a copy of each return to the Chapter 13 Trustee.

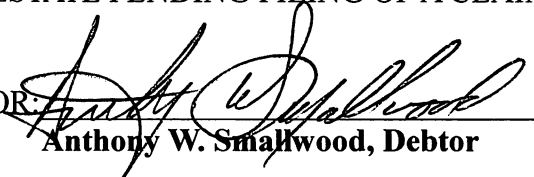
14. Any post-petition claims filed and allowed under 11 U.S.C. section 1305 may be

paid through the plan.

CREDITOR'S NOTICE: YOU MUST FILE A CLAIM IN ORDER TO PARTICIPATE IN DISBURSEMENTS PROPOSED HEREIN. CLAIMS SHALL SHARE ONLY IN FUNDS DISBURSED AFTER THE CHAPTER 13 TRUSTEE RECEIVES THE CLAIM. IN COMPLIANCE WITH ORDER OF THE COURT, ABSENT A SPECIFIC ORDER OF THE COURT TO THE CONTRARY, THE CHAPTER 13 TRUSTEE, RATHER THAN THE DEBTOR, WILL MAKE ALL PRE-CONFIRMATION DISBURSEMENTS PURSUANT TO SECTION 1326(a). ALL CREDITORS ENTITLED TO PRE-CONFIRMATION DISBURSEMENTS, INCLUDING LEASE CREDITORS, MUST FILE A PROOF OF CLAIM TO BE ENTITLED TO RECEIVE SUCH PAYMENTS FROM THE CHAPTER 13 TRUSTEE. PURSUANT TO LOCAL RULE, THE PROOF OF CLAIM SHALL CONTROL THE VALUATION OF COLLATERAL AND ANY VALUATION STATED IN THE PLAN SHALL NOT BE BINDING ON THE CREDITOR. THE TRUSTEE, IN HIS SOLE DISCRETION, MAY DETERMINE TO RESERVE FUNDS FOR PAYMENT TO ANY CREDITOR SECURED BY A MORTGAGE ON REAL ESTATE PENDING FILING OF A CLAIM.

DATE: 11 Jan. 2016

DEBTOR:


Anthony W. Smallwood, Debtor

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

In re: ANTHONY W. SMALLWOOD) Case No: 14-20231-705
)
)
Debtor.) Chapter 13

CERTIFICATE OF SERVICE

STATE OF MISSOURI)
) ss.
COUNTY OF MARION)

I, Marcia L. Moelling, being duly sworn, depose and say:

Deponent is not a party to the action, is over 18 years of age and resides in Adams
County, Illinois .

On January 12, 2016, deponent served the Chapter 13 Plan upon the following at their
respective addresses:

John LaBarge, Jr.
Chapter 13 Trustee
PO Box 430908
St. Louis, MO 63143-0908

And all persons on the attached Matrix, by depositing a true copy of same enclosed in a post-paid
properly addressed, wrapped, in - a post office - official depository under the exclusive care and
custody of the United States Postal Service within the City of Hannibal, Missouri.

Respectfully submitted,

MOELLRING & AMBLER, L.L.C.

By:

/s/ Marcia L. Moelling

Marcia L. Moelling 6231148
Attorney for Debtors
MOELLRING & AMBLER, L.L.C.
714 Broadway
P.O. Box 589
Hannibal, Missouri 63401
Telephone: (573) 221-1788
Fax: (877)946-5909
email: marcia@MoellingAmblerlaw.com

Label Matrix for Local Noticing

0865-2

Case 14-20231

Eastern District of Missouri

Hannibal

Thu Dec 31 10:44:44 CST 2015

American Coradius International LLC

2420 Sweet Home Rd Ste 150

Amherst, NY 14228-2244

Michael Ernest Boyd

The Boyd Law Group, L.C.

300 St. Peters Centre Blvd

Suite 230

Saint Peters, MO 63376-1694

CERASTES, LLC

C O WEINSTEIN, PINSON, AND RILEY, PS

2001 WESTERN AVENUE, STE 400

SEATTLE, WA 98121-3132

Capital One Auto Finance

PO Box 9013

Addison, TX 75001-9013

Credit Collection Services

Two Wells Ave, Dept 9133

Newton, MA 02459-3225

Michael D. Doering

The Boyd Law Group LLC

6811 Shawnee Mission Pkway

Suite 204

Overland Park, KS 66202-4073

HEIGHTS FINANCE CORP.

131 S 36TH SUITE 4

QUINCY IL 62301-5840

p)INTERNAL REVENUE SERVICE

ENTRALIZED INSOLVENCY OPERATIONS

O BOX 7346

HILADELPHIA PA 19101-7346

ohn V. LaBarge Jr

hapter 13 Trustee

.O. Box 430908

t. Louis, MO 63143-0908

AM Recoveries

5655 Peachtree Ste 213

Norcorss, GA 30092-2828

American InfoSource LP as agent for

US Cellular

PO Box 248838

Oklahoma City, OK 73124-8838

C.U. Recovery

26263 Forest Blvd

Wyoming, MN 55092-8033

Capital One

PO Box 30281

Salt Lake City, UT 84130-0281

Cash Call

c/o National Creditor Adjusters

Sept 835

PO Box 4115

Concord, CA 94524-4115

Debra Greene

5203 E City Rd 136

Midland, TX 79706-7193

Enhance Recovery

8014 Bayberry Rd.,

Jacksonville, FL 32256-7412

Hannibal Regional Hospital

PO Box 551

Hannibal, MO 63401-0551

(p)JEFFERSON CAPITAL SYSTEMS LLC

PO BOX 7999

SAINT CLOUD MN 56302-7999

MSCB

1410 Industrial Park Rd

Paris, TN 38242-6099

ATI Mobility

2321 N University

Lubbock, TX 79415-1717

Blessing Hospital

PO Box 7005

Quincy, IL 62305-7005

CBQ Services

510 Maine St, Ste 400

Quincy, IL 62301-3921

Capital One Auto Finance

P O Box 201347

Arlington, TX 76006-1347

Check N Go

120 Steamboat Bend Shopping Center

Hannibal, MO 63401-2867

Division of Employment Security

421 E. Dunklin St.

PO Box 3100

Jefferson City, MO 65102-3100

General Mills Federal Credit Union

9999 Wayzata Blvd

Minnetonka, MN 55305-5513

Heights Finance

PO Box 3083

Quincy, IL 62305-3083

Kaysi Foster

512 NW 165

Cenerville, MO 64019-8179

McMillan Dodd Law Firm LLC

1284 Jungermann Road, Suite A

St. Peters, MO 63376-6966

Missouri Department of Revenue
General Counsels Office
PO Box 475
Jefferson City, MO 65105-0475

Marcia Lynn Moelling
Dempsey, Dempsey et al.
716 Broadway
PO Box 510
Hannibal, MO 63401-0510

National Credit Adjusters, LLC
Attn: Chassity Lindeman
P.O. Box 3023
Hutchinson, KS 67504-3023

National Creditor Adjusters
Dept 835
PO Box 4115
Concord, CA 94524-4115

Ocwen Loan Servicing
PO Box 24736
West Palm Beach, FL 33416-4736

Ocwen Loan Servicing, LLC
Attn: Cashiering Department
1661 Worthington RD., Suite 100
West Palm Beach, FL 33409-6493

Office of US Trustee
111 S Tenth St, Ste 6.353
St. Louis, MO 63102-1127

PayPal Inc
Po Box 45950
Omaha NE 68145-0950

Personal Finance
2801 St Mary's Ave
Hannibal, MO 63401-3775

Plain Green LLC
National Creditor Adjusters
Dept 835
PO Box 4115
Concord, CA 94524-4115

Quincy Medical Group
1025 Maine St
Quincy, IL 62301-4096

Schreiber LAW Firm
6 Interplex Dr. Ste 6
Feasterville-Trevose, PA 19053-6942

Anthony W. Smallwood
64514 Old 79
New London, MO 63459-4723

Southwestern Bell Telephone Company
% AT&T Services, Inc
Karen Cavagnaro, Paralegal
One AT&T Way, Room 3A104
Bedminster, NJ 07921-2693

Spartan Light Metal Products
Attn. Payroll Department
2510 Lakeview Road
Mexico, MO 65265-1391

Spartan Light Metal Products L
Attn. Payroll Department
2510 Lakeview Road
Mexico, MO 65265-1391

Sun Loan
412 Huck Finn Shopping Center
Hannibal, MO 63401-2293

Tower Loan of Missouri, LLC, d/b/a
Tower Loan of Hannibal
P.O. Box 961
Hannibal, MO 63401-0961

JS Cellular
5655 Peachtree, Ste. 213
Norcross, GA 30092-2828

Wells Fargo Bank NA
Ocwen Loan Servicing
1661 Worthington Rd, Ste 100
W Palm Beach, FL 33409-6493

William Wheeler
11970 Borman Dr. Ste 250
St Louis, MO 63146-4153

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Internal Revenue Service
222 Spruce St.
St. Louis, MO 63103

Jefferson Capital Systems LLC
Po Box 7999
Saint Cloud Mn 56302-9617

End of Label Matrix
Mailable recipients 50
Bypassed recipients 0
Total 50